

ORIGINAL

FILED

August 20 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA
CAUSE NO: DA 10-0342

RICHARD KERSHAW

Plaintiff and Appellant,

v.

MONTANA DEPARTMENT OF
TRANSPORTATION and JOHN DOES I-X,

Defendant and Appellee.

SUPREME COURT No. ~~DA 09-0340~~

**UNOPPOSED MOTION TO STAY
BRIEFING SCHEDULE PENDING
MEDIATION**

Plaintiff and Appellant, Richard Kershaw, through his attorney Daniel G. Gillispie, Gillispie Law Office, hereby moves this Court for an order staying the initiation of the briefing schedule pursuant to Montana Rules of Appellate Procedure, pending completion of mediation before mediator Michael Anderson, expected to occur on September 23, 2010. Appellant requests that the briefing schedule be initiated by filing of the Mediator's report, should no settlement result from the mediation.

Attorney for the State, Pam Snyder-Varns confirms she does not oppose this motion.

DATED this 17th day of August, 2010

GILLISPIE LAW OFFICE


Daniel G. Gillispie

Certificate of Service

The undersigned, being of such age and discretion to serve papers hereby certifies that on this 19th day of August, 2010, he served a copy of the above *Unopposed Motion to Stay Briefing Schedule Pending Mediation* by placing said copy in a prepaid envelope addressed to the person hereinafter named, via U.S. Mail:

Pamela Snyder-Varns
Special Assistant Attorney General
1625 11th Ave, Middle Floor
Helena, MT 59601
Attorney for Defendant/Appellee

GILLISPIE LAW OFFICE


Daniel G. Gillispie